

**BOARD OF NURSING
MINUTES
MADISON, WI
JUNE 6, 2002 - 8:30 A.M.**

PRESENT: Linda Sanner, Jackie Johnsrud, Pamela Maxson-Cooper, June Bahr, Bettye Lawrence, Marie Kohlbeck, Ruth Lindgren, and Rose Boron

STAFF PRESENT: Kim Nania, Grace Schwingel, Wayne Austin, Katharine Hildebrand, Barb Showers, Cheryl Ellsworth

GUESTS: Gina Dennik-Champion, WNA
Maureen Van Dinter, WAPNAP
Jane Farrell, Milwaukee Performance Assessment
Bridget Nettleton, Excelsior College
Liz Schumacher, Wisconsin Medical Society
Diane Peters, WI Health and Hospital Association

CALL TO ORDER

Linda Sanner called the meeting to order at 8:40 a.m. A quorum of 8 members was present.

AGENDA

Addition to the Agenda: Mandatory Exclusion E. (1); Cheryl Ellsworth will address the Board after Secretary Oscar Herrera speaks. Correction to the Agenda: Ff. the name should read: Catherine **Adela-Stoechr**, LPN

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to approve the agenda as amended. Motion carried unanimously.

MINUTES OF MAY 2, 2002

Amendments to the minutes of May 2, 2002: page 1 of the minutes under Discipline Committee should read: "The Discipline Committee will meet at 7:30 a.m. on June 6, 2002. On page 2 of the minutes under Correspondence Regarding APRN Compact, the sentence should read: " . . . , and suggested forwarding the information to **WNA** for their information and review.

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to approve the minutes of May 2, 2002, as amended. Motion carried unanimously.

SECRETARY OSCAR HERRERA

Secretary Oscar Herrera addressed the Board and introduced Lori Huntoon, the Division Administrator of the Professional Credential Processing unit. Lori Huntoon explained to the Board a problem that had developed in the Department's computer system that required an outside contractor to correct that created a backlog in the credentialing process. The problem has been corrected and the credentialing process is expected to be back on track in one or two days.

Secretary Herrera discussed some current concerns the Board has with disciplinary issues and commended the Board for the very thorough job it is doing in regulating the nursing profession. Secretary Herrera noted that the Department developed the Newsletter, OPEN SESSION, to assist the exchange of information between the Office of the Secretary and the Boards. The current state budget concerns, Badgercare and the link between jobs and education were also discussed.

KATHARINE HILDEBRAND – BOARD MEMBER WORKSHOP

Katharine Hildebrand briefly reviewed the results of the recent board survey. It was developed to identify opportunities for the Department to improve their services to the boards and the professions it regulates. The Department continues to work on improving its website, phone system, and the Regulatory Digest. Ms. Hildebrand provided information about the upcoming board member workshop scheduled for June.

CHERYL ELLSWORTH, IT DIRECTOR

Cheryl Ellsworth, IT Director, explained the process the Department is using to provide better customer service by putting applications in an electronic format. Applications and Administrative Code / Rules and Regulations are being transposed into PBS, which is an Adobe format that is fairly universal in use on the Internet. DOA Records Management will do the scanning of the Department's application packets and Administrative Code Books, so that whatever is available in print will have its exact duplicate on the Internet. Once applications are in electronic format, they may be e-mailed or FAXed to applicants. The IVR (Interactive Voice Response) will also be modified to let callers know this information is available from the Internet, so people do not have to leave their name and address on the IVR system. This information will be disseminated via the Regulatory Digest.

APPEARANCE OF BRIDGET NETTLETON, INTERIM DEAN, EXCELSIOR COLLEGE

Bridget Nettleton, the Interim Dean of Excelsior College, and Jane Farrell, from the Midwestern Performance Assessment Center explained their program of study and method of performance evaluation. Excelsior College provides an educational alternative for adult learners, particularly those in remote areas, offering an associate degree, RN to BSN degree option, RN to MSN degree option, and an MSN program. The graduate programs are provided by online instruction. The school does not provide classroom instruction to students. They provide detailed content outline that is tested via examination. The theory examination must be completed first. It is administered via computer testing centers such as Prometric or Sylvan Learning Centers. Following successful completion of the theory examinations, students participate in comprehensive clinical exams administered over a three-day period. Wisconsin requires that an approved school of nursing must be accredited in the state of origin. Excelsior College's nursing program is accredited in New York state.

SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES AND ADMINISTRATIVE RULES AND PRESS RELEASES

These reports were informational.

REVIEW AND DISCUSSION OF ADVANCED PRACTICE REGISTERED NURSE COMPACT

This will also be on the July agenda for discussion.

REVIEW QUESTION RE: ENDORSEMENT: CAROL HAAS, LPN

Carol Haas, LPN, is requesting licensure by endorsement from Iowa.

MOTION: Ruth Lindgren moved, seconded by Bettye Lawrence, to grant Carol Haas, LPN, a limited license to take a refresher course required in Wisconsin. Following successful completion of a Board-approved LPN refresher course, Ms. Haas may petition the Board for unlimited licensure. Motion carried unanimously.

PRACTICE QUESTION RE: BOTOX INJECTIONS

The Board discussed whether botox injections may be performed by a registered nurse as an independent act.

MOTION: Jackie Johnsrud moved, seconded by Pamela Maxson-Cooper, to adapt the decision proposed by Legal Counsel, Wayne Austin that botox injections may be performed by a registered nurse as a delegated medical act. Motion carried unanimously.

MANDATORY INCLUSION—E-1

The Board discussed the issue of mandatory inclusion for visa status. The Board will grant a license to a qualified foreign applicant on the condition that the person gets a green card.

REPORT OF DISCIPLINE COMMITTEE

Linda Sanner provided a report from the Discipline Committee. They had discussed whether a licensee who is under a drug and alcohol order should work in a setting and have access to drugs before the board will consider a motion for unlimited license. Discipline Committee recommended that each case be handled on an individual basis. If the drug and alcohol counselor does not support a nurse's application for an unlimited license, the board will require an explanation from the therapist for their recommendation. Wayne Austin advised the Board that the drug and alcohol stipulation includes an indefinite suspension. The board is free to require the continuation of a limited license where the only limitation is that the licensee has no access to controlled substances.

MOTION: June Bahr moved, seconded by Jackie Johnsrud, to approve the report and adopt the recommendations of the Discipline Committee. Motion carried unanimously.

The Board had a discussion on communication issues between case advisors and DOE attorneys and recommended that a process be established to handle changes that may need to be made to stipulations.

MOTION: Pamela Maxson Cooper moved, seconded by Ruth Lindgren, to establish the following procedure: If the assigned DOE staff person disagrees with the case advisor's recommendation for discipline, the attorney must communicate the specific concerns with the case advisor prior to drafting the stipulation and prior to the proposed stipulation being sent to the practitioner. Motion carried unanimously.

CLOSED SESSION

Open Session adjourned at 10:30 a.m.

MOTION: Pamela Maxson Cooper moved, seconded by Marie Kohlbeck, to adjourn to closed session pursuant to Wisconsin State Statutes 29.85(1)(A)(B)(F) and (G). Motion carried by roll call vote: Linda Sanner-yes, Jackie Johnsrud-yes, Pamela Maxson-Cooper-yes, June Bahr-yes, Bettye Lawrence-yes, Marie Kohlbeck-yes, Ruth Lindgren-yes, and Rose Boron-yes.

RECONVENE IN OPEN SESSION

MOTION: Jackie Johnsrud moved, seconded by June Bahr, to go into open session at 2:25 p.m. Motion carried unanimously.

REMOVAL FROM IPP – LEE ANN COOPER

There were no IPP removals to consider this month.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to confirm the motions made in closed session. Motion carried unanimously.

REVIEW OF APPLICATION AND APPEARANCE REQUIRED

JOSEPH THORSEN, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant Joseph Thorsen full licensure upon successful completion of the NCLEX exam. The Board will grant him a temporary license until he takes the exam. There are no limitations on his license. Motion carried unanimously.

RECONSIDERATION OF ENDORSEMENT APPLICATION

CHRISTINE CLEARY, LPN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, that following successful completion of the NCLEX examinations, to grant a limited license. Limitations include the standard drug and alcohol treatment restrictions with 56 random urine drug screens per year, therapy as per recommendation of her counselor, but not less than one time per month, participation in AA/NA, quarterly work reports. She may have access to narcotics in her work setting. Motion carried unanimously.

**REQUEST FOR REINSTATEMENT OF 3-MONTH STAY OF
SUSPENSION AND APPEARANCE**

BRENDA KLABACKA, LPN

MOTION: Jackie Johnsrud moved, seconded by Pamela Maxson-Cooper, to deny the request of Brenda Klabacka, LPN for reinstatement because she is on methadone. Motion carried unanimously.

**REQUEST FOR REINSTATEMENT OF 3-MONTH
STAY OF SUSPENSION AND APPEARANCE**

THOMAS SCHMIDT, RN

MOTION: Ruth Lindgren moved, seconded by Jackie Johnsrud, to grant Thomas Schmidt a 3-months stay of suspension. The 2-year order starts over as of today, June 6, 2002, since he was not in compliance with the old order. Motion carried unanimously.

REQUEST FOR REINSTATEMENT OF 3-MONTH STAY OF SUSPENSION

MARY ALBERTZ, RN/LPN

MOTION: Jackie Johnsrud moved, seconded by Ruth Lindgren, to deny the request of Mary Albertz, RN/LPN for reinstatement of her 3-month stay of suspension. Requested that she appear next month before the board to provide an updated report from her therapist, including all medications she is on and why. The Board also is requesting a report from the Director of Nursing she refers to at work. Motion carried unanimously.

LISA AMICK, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant Lisa Amick, RN, her request for a 3-month stay of suspension. Motion carried unanimously.

MARY GREENE, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to deny the request of Mary Greene, RN, for reinstatement of 3-month stay of suspension for lack of compliance with board order. Motion carried unanimously.

REQUEST FOR 3-MONTH STAY OF SUSPENSION

MAURI FOWLER, LPN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant a 30-day stay of suspension for Mauri Fowler, LPN. Motion carried unanimously.

PAUL LAUER, RN

MOTION: Jackie Johnsrud moved, seconded by Ruth Lindgren, to grant Paul Lauer, RN, a 3-month stay of suspension, with no modifications since none were requested. Motion carried unanimously.

DEBRA SHOWEN, RN

MOTION: June Bahr moved, seconded by Pamela Maxson-Cooper, to grant Debra Showen, RN, a 3-month stay of suspension. Motion carried unanimously.

LANA SILVERS, LPN

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to grant Lana Silvers, LPN, her request for a 3-month stay of suspension. Motion carried unanimously.

MARY TRAHAN, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to deny the request of Mary Trahan, RN, for a 3-month stay of suspension for lack of compliance. Motion carried unanimously.

REQUEST FOR FULL LICENSURE

SUE BOLHA, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant Sue Bolha, RN full licensure. Motion carried unanimously.

CATHY BROAN, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant the request of Cathy Broan, RN, for full licensure. Motion carried unanimously.

TAMI EARLEY, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant Tami Earley, RN, full licensure. Motion carried unanimously.

REQUEST FOR REINSTATEMENT OF LIMITED LICENSE

GLADYS EDINBURGH, RN

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to reinstate Gladys Edinburg, RN, for a 3-month stay and reinstatement of the order. Motion carried unanimously.

MOTION: Jackie Johnsrud moved, seconded by Ruth Lindgren, to deny the request of the Patrick Knott for a 3-month stay of suspension due to lack of compliance, missed urine screens and not calling in to the drug program as required. Motion carried unanimously.

REQUEST FOR BOARD CONSIDERATION

RICHARD MACEK, LPN

Legal Counsel, Wayne Austin, will write stipulation and have Richard Macek sign the stipulation.

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to grant Richard Macek a limited license and require him to take an LPN refresher course. Motion carried unanimously.

REQUEST FOR 3-MONTH STAY OF SUSPENSION AND MODIFICATION

GRETCHEN MACHT, RN

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to grant Gretchen Macht, RN, a 3-month stay of suspension and reduce her therapy sessions to once a month. Motion carried unanimously.

DELIBERATION OF PROPOSED STIPULATION

SANDRA A. MCCLINTIC, RN

MOTION: June Bahr moved, seconded by Pamela Maxson-Cooper, to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Sandra McClintic, RN (00 NUR 092). Case Advisor was Jaqueline Johnsrud. Motion carried unanimously.

JANICE M. WEPFER, RN

MOTION: June Bahr moved, seconded by Jackie Johnsrud, to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Janice M. Wepfer (01 NUR 255). Case Advisor was Ruth Lindgren Motion carried unanimously.

BARBARA J. BENOIT, RN

While this matter did not occur in this state and does not directly impact the Wisconsin Boards, the Nursing Board would like to send information on this case to the Wisconsin Pharmacy and Medical Boards for informational purposes.

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Barbara Benoit, RN (02 NUR 032) and to notify the Alabama Pharmacy Board and California Medical Board. This case is to be sent to DOE. Case Advisor was June Bahr. Motion carried unanimously.

PAMELA J. STELZER, RN

MOTION: Ruth Lindgren moved, seconded by June Bahr to table taking action in the matter concerning Pamela Stelzer, RN (01 NUR 105) until next month for further clarification. Case Advisor was Jacqueline Johnsrud. Motion carried unanimously.

PAMELA R. UDELHOVEN, LPN

MOTION: Ruth Lindgren moved, seconded by Jackie Johnsrud, adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Pamela Udelhoven, LPN (01 NUR 318). Case Advisor was June Bahr . Motion carried unanimously.

KATHLEEN ANN GOODMAN, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Kathleen Goodman, RN (01 NUR 316) Case Advisor was June Bahr. Motion carried. Linda Sanner abstained.

MAUREEN T. MASSOGLIA, LPN

MOTION: Jackie Johnsrud moved, seconded by June Bahr, to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Maurreen Massoglia, RN (02 NUR 008). Case Advisor was June Bahr. Motion carried unanimously.

CATHERINE ADELE-STOEHR, LPN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Catherine Adele-Stoehr, LPN (01 NUR 264). Case Advisor was June Bahr. Motion carried. Jackie Johnsrud abstained.

PROPOSED ADMINISTRATIVE WARNING

MOTION: Ruth Lindgren moved, seconded by Jackie Johnsrud, to issue an administrative warning in the matter concerning PK, an RN, 02 NUR 026. Motion carried unanimously.

MOTION: June Bahr moved, seconded by Ruth Lindgren, to issue an administrative warning in the matter concerning KB, RN 00 NUR 203 . Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to issue an administrative warning in the matter concerning MJG, RN 00 NUR 245. Motion carried unanimously.

ORDER FIXING COSTS

LYNN SCHOBBER, LPN

MOTION: Jackie Johnsrud moved, seconded by Pamela Maxson-Cooper, to accept the order fixing costs in the matter concerning Lynn Schober, LPN (LS0110291NUR). Motion carried unanimously.

HEIDI S. FURYK, RN

MOTION: Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to accept the order fixing costs in the matter concerning Heidi Furyk, RN (LS0106291NUR). Motion carried unanimously.

MOTION: Pamela Maxson-Cooper moved, seconded by June Bahr, to reconsider the decision in the matter of Heidi S. Furyk, RN (LS0106291NUR) and to table this action on Heidi Furyk, RN. Motion carried unanimously.

PROPOSED DECISION IN THE MATTER OF DISCIPLINARY PROCEEDINGS

NANCY K. OLSON-PETERS, LPN

MOTION: Jackie Johnsrud moved, seconded by Pamela Maxson-Cooper, to put this matter on hold concerning Nancy Olson-Peters, LPN (LS0201046-NUR) until the Board can confer with Legal Counsel. Motion carried unanimously. (Case Advisor June Bahr was not present for discussion and deliberations.)

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to accept the Findings of Fact, and Conclusions of Law in the matter concerning Nancy Peters. Motion carried unanimously. (Case Advisor June Bahr was not present for discussion and deliberations.)

MOTION: Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to reject the proposed order in the matter concerning Nancy Olson-Peters. Motion carried unanimously. (Case Advisor June Bahr was not present for discussion and deliberations.)

MOTION: Pameala Maxson-Cooper moved, seconded by Jackie Johnsrud, to modify the order to include 56 random drug tests a year, 4 therapy sessions a month, an Ethics course for a minimum of 8 hours, submit quarterly work reports and have no access to controlled substances. She must attend AA or NA-twice a week. No home health. She must work under direct supervision. May not work as a pool nurse. Motion carried unanimously. (Case Advisor June Bahr was not present for discussion and deliberations.)

MARK J. LEROUX, RN

MOTION: Jackie Johnsrud moved, seconded by Ruth Lindgren, to adopt the Findings of Fact, Conclusions of Law, Order and surrender of License in the matter concerning Mark Leroux, RN (LS0110042NUR). Motion carried unanimously.

FINAL DECISION AND ORDER

MARGARET Y. CHU, RN

MOTION: Jackie Johnsrud moved, seconded by June Bahr, to adopt the Findings of Fact and Conclusions of Law in the matter concerning Margaret Y. Chu, RN (LS0106182NUR). Motion carried unanimously. (Case Advisor Ruth Lindgren was not present for discussion and deliberations.)

MOTION: Jackie Johnsrud moved, seconded by June Bahr, to reject the Order in the matter concerning Margaret Y. Chu, RN (LS0106182NUR) Motion carried unanimously. (Case Advisor Ruth Lindgren was not present for discussion and deliberations.)

MOTION: Jackie Johnsrud moved, seconded by Pamela Maxson-Cooper, in the matter concerning Margaret Y. Chu, RN, (LS0106182NUR) to order the license suspended, stay the suspension to obtain a board approved RN refresher course within the next six months, require a 12-hour course in diabetic education and submit quarterly work reports for 2 years. Motion carried unanimously. (Case Advisor Ruth Lindgren was not present for discussion and deliberations.)

CASE STATUS REPORT

- MOTION:** Pamela Maxson-Cooper moved, seconded by June Bahr, to close complaint **01 NUR 116** for insufficient evidence. Case Advisor was Linda Sanner. Motion carried. Jackie Johnsrud-opposed.
- MOTION:** Pamela Maxson Cooper moved, seconded by Jackie Johnsrud, to close complaint **00 NUR 131** for no violation. Motion carried unanimously.
- MOTION:** Jackie Johnsrud moved, seconded by Pamela Maxson-Cooper, to close complain **00 NUR 245** for insufficient evidence. Case Adviser was Linda Sanner. Motion carried unanimously.
- MOTION:** Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to close complaint **02 NUR 031** for insufficient evidence. Linda Sanner was the Case Adviser. Motion carried unanimously.
- MOTION:** Pamela Maxson-Cooper moved, seconded by Jackie Johnsrud, to close complaint **00 NUR 237** for prosecutorial discretion P3. Linda Sanner was the Case Advisor. Motion carried unanimously.
- MOTION:** Jackie Johnsrud moved, seconded by June Bahr, to close complaint **99 NUR 343** for prosecutorial discretion. Pamela Maxson-Cooper was the Case Advisor. Motion carried unanimously.
- MOTION:** Ruth Lindgren moved, seconded by Marilyn Panka, to close complaint **00 NUR 133** for insufficient evidence. Motion carried unanimously.

ADJOURNMENT

- MOTION:** Pamela Maxson-Cooper moved, seconded by Ruth Lindgren, to adjourn the meeting at 2:30 p.m. Motion carried unanimously.